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1 UNITED STATES BANKRUPTCY COURT  
2 FOR THE EASTERN DISTRICT OF MICHIGAN  
3 SOUTHERN DIVISION - DETROIT  
4 -----  
5 In re: Chapter 9  
6 CITY OF DETROIT, MICHIGAN, Case No. 13-53846  
7 Debtor, Hon. Steven W. Rhodes  
8 -----  
9 V I D E O T A P E D D E P O S I T I O N O F  
10  
11 WITNESS: GOVERNOR RICHARD D. SNYDER  
12 LOCATION: The Romney Building  
13 111 S. Capitol Avenue  
14 Lansing, Michigan  
15  
16 DATE: Wednesday, October 9, 2013  
17 8:38 a.m.  
18  
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|---|---|
| <p>1 Do you have any knowledge first or<br/>2 secondhand as to whether that is true or not?<br/>3 A. I don't recall that.<br/>4 Q. Do you recall a reason that the 19th was selected as<br/>5 the date that Mr. Orr would file bankruptcy?<br/>6 A. One of the factors most likely was probably my<br/>7 schedule, because this was a major media rollout, in<br/>8 terms of availability.<br/>9 Q. Okay.<br/>10 A. At that -- the letter was coming and I wanted time<br/>11 to contemplate and then we would look at the<br/>12 schedule to say when is there a good opportunity to<br/>13 have good communications.<br/>14 Q. Leaving aside conversations you had with your<br/>15 attorneys --<br/>16 A. Uh-huh.<br/>17 Q. -- in the days preceding the 17th say, say earlier<br/>18 that week --<br/>19 A. Yeah.<br/>20 Q. -- were you privy to any conversations where the<br/>21 idea was thrown out that if we have the filing on<br/>22 the 19th that would oust Aquilina of jurisdiction on<br/>23 the 22nd? Do you understand what I'm asking, or<br/>24 words to that effect?<br/>25 A. Yeah, I don't recall it.</p>  | <p>1 A. Well, you did ask me. You said they were in the<br/>2 courtroom, did then I act. And I acted prior to<br/>3 them being in the courtroom.<br/>4 Q. No. Okay. Fair enough.<br/>5 A change was made between the 19th and the<br/>6 18th as to the filing itself. You understand that?<br/>7 A. Uh-huh.<br/>8 Q. Correct?<br/>9 A. Yes.<br/>10 Q. And I'll represent to you that at Mr. Orr's<br/>11 deposition he confirmed that the typed in date of<br/>12 the 19th on the bankruptcy petition, the handwritten<br/>13 eight was his handwriting.<br/>14 Do you know anything about why the change<br/>15 was made from the 19th to the 18th?<br/>16 A. Yes.<br/>17 Q. What do you know about it? Just tell me.<br/>18 A. I made the decision that I was comfortable in my<br/>19 conclusion that it was appropriate to file.<br/>20 When the letter came to me on the 16th in<br/>21 terms of recommending bankruptcy, I had set aside to<br/>22 say I wanted an extended period of time to review<br/>23 and to contemplate the situation. So I actually set<br/>24 aside enough time that would have led to the Friday<br/>25 morning situation to say I wanted more than one</p>   |
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| <p>1 Q. You don't recall?<br/>2 A. And again, that would be -- this is where we're back<br/>3 to if there were other discussions, it would've been<br/>4 attorney-client privilege, but I don't recall even<br/>5 in that context.<br/>6 Q. We know that, in fact, the filing was made on the<br/>7 18th?<br/>8 A. Uh-huh.<br/>9 Q. Correct?<br/>10 A. Correct.<br/>11 Q. That would be an unusual circumstance; would it not?<br/>12 That is, that you put together this very detailed<br/>13 rollout down to what's going to happen at 11 a.m. a<br/>14 couple days later and what's happening at noon and<br/>15 1:30. It would be rare in terms of your work as<br/>16 Governor for a significant event like this for the<br/>17 date to move at the last minute; would it not?<br/>18 A. Well, this is a unique circumstance.<br/>19 Q. Yeah. On that we agree.<br/>20 Was the unique circumstance the fact that<br/>21 the litigants in the three cases were in court on<br/>22 the 18th in front of Judge Aquilina in the afternoon<br/>23 seeking emergency injunctive relief?<br/>24 A. I had signed my letter prior to that.<br/>25 Q. It's not what I asked you, Governor.</p> | <p>1 night to sleep on this because the importance of<br/>2 this act.<br/>3 And as I proceeded through the thought<br/>4 process to say do I concur, am I going to authorize<br/>5 the bankruptcy, I started discussions with my legal<br/>6 counsel on how we would prepare a letter, how we<br/>7 would go through that process and my thought<br/>8 process, and I felt I didn't need to wait. I had<br/>9 made my decision, I had consulted with legal<br/>10 counsel, we had prepared a letter authorizing<br/>11 bankruptcy, and I said we should just go ahead and<br/>12 get this done.<br/>13 Q. And as far as you know, that decision, the fact that<br/>14 there was -- were requests for immediate injunctive<br/>15 relief on that day in state court had nothing to do<br/>16 with moving up the time?<br/>17 A. People showed up in state court after that, and what<br/>18 I would say is the consideration I had was the<br/>19 filing of -- the lawsuits being filed in the prior<br/>20 week or two weeks had some impact on my<br/>21 decision-making process.<br/>22 Q. Right.<br/>23 A. And the reason I said that is because I could see<br/>24 lawsuits being filed not only on pension issues but<br/>25 could be filed by other creditors, by financial</p> |